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BEFORE THE
FEDERAL ELECTION COMMISSION

2012 JUL 20 AM 11:47

OFFICE OF FEDERAL
COUNCIL

Clyde M. Collins, Jr.

233 E. Bay Street #920

Jacksonville, Florida 32202

MUR# 6609

v.

Connie Mack, Candidate United States Senate, From Florida

Friends of Connie Mack, Inc.,

United States Senate Campaign Committee of Connie Mack,

PO Box 519

Naples, Florida

COMPLAINT

Clyde M. Collins, Jr., a registered voter, District 14, Duval County, Florida, files this complaint under 2 U.S.C. Section 437g(a)(1) against Connie Mack, candidate, United States Senate, from the State of Florida, and Friends of Connie Mack, Inc., for violations of the Federal Elections Campaign Act, 2 U.S.C. §437a(b)(1)(B) (prohibited use of campaign contributions or donations for personal use, a clothing purchase) as defined in 11 C.F.R. §113.1(g)(1)(i)(C) ("clothing, other than items of *de minimis* value that are used in the campaign, such as campaign "T-shirts" or caps with campaign slogans.")

Complainant is a member of the Florida Bar, No. 342688, and a registered voter in Jacksonville, Duval County, Florida. Florida Registration Number 103637653. Mr. Collins is harmed when a candidate, political committee, or other regulated entity violate Federal Campaign laws.

Connie Mack, is a member of the United States House of Representatives and candidate for the United States Senate from Florida. Friends of Connie Mack, Inc., is the principal campaign committee of Connie Mack, Candidate, United States Senate, from Florida.

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A. FACTS

On April 12, 2012, a member of Mr. Mack's official campaign committee, purchased clothing at Brooks Brothers, 4812 River City Dr #137 Jacksonville, FL 32246, apparently for Respondent Connie Mack, candidate for the United States Senate, in the amount of \$234.33, and charged the personal clothing items to the Respondent's federal campaign account.

On May 15, 2012, a member of Mr. Mack's official campaign committee purchased additional clothing at Brooks Brothers, 4812 River City Dr #137 Jacksonville, FL 32246, apparently for Respondent Connie Mack, candidate for the United States Senate, in the amount of \$234.33, and charged the personal clothing items to the Respondent's federal campaign account.

A copy of the unlawful campaign expenditure of luxurious personal clothing by Friends of Connie Mack, Inc., Respondent, paid by campaign funds, is attached as Exhibit "A".

The Connie Mack campaign has admitted that it violated federal campaign laws regarding expenditures of clothing for the candidate.

When questioned by the media about the use of campaign funds for personal items, such as that purchased at the swanky Brooks Brothers store, campaign spokesperson David James stated: "The Brooks Brothers charges were mistaken, inappropriate charges made by travel staff." A copy of Mr. James' admission to the expenditure violation was printed on July 18, 2007, in the Miami Herald. A copy of the Miami Herald article is attached as Exhibit "B".

The Miami New Times also reported the unlawful campaign expenditure by Friends of Connie Mack, Inc. It reported "Mack's campaign says it was an oversight made by an unaware staffer who was too lazy to go to the dry cleaner." A copy of the Miami New Times is attached as Exhibit "C".

B. THE MACK CAMPAIGN UNLAWFUL USED FEDERAL CAMPAIGN CONTRIBUTIONS FOR PERSONAL CLOTHING FOR CONNIE MACK

The United States Federal Elections Campaign Act, ("FECA") 2 U.S.C. §439a(b)(2)(B), prohibits the use of a contribution or donation to a Federal Election by any person for personal use. A contribution or donation shall be considered to be converted to personal use if the contribution or amount is used to fulfill an expense of a person that would exist irrespective of the candidate's election campaign including a clothing purchase.

14044354366

The FECA specifically prohibits a candidate for federal office from using campaign funds to purchase personal clothing for the candidate or any other person. The Act states that "a contribution or donations...shall not be converted by any person to personal use." 2 U.S.C. §439a(b)(1). The Act further specifies that "a contribution or donation shall be considered to be converted to personal use if the contribution or amount is used to fulfill any commitment, obligation, or expense of a person that would exist irrespective of the candidate's election campaign or individual's duties as a holder of Federal office, including...a clothing purchase." 2 U.S.C. § 439a(b)(2)(B).

FEC regulations implementing the prohibition of converting campaign funds to personal use make it clear that the prohibition applies to purchases of business or professional clothing for the candidate or other individuals. The regulations specify that the personal use prohibition applies to "clothing, other than items of *de minimis* value that are used in the campaign, such as campaign 'T-shirts' or caps with campaign slogans." 11 C.F.R. §113.1(g)(1)(i)(C).

The Complainant is personally familiar with the men's clothing at the Brooks Brothers store, located at 4812 River City Dr #137 Jacksonville, FL 32246, and denies that this Brooks Brothers store carries clothing of *de minimis* value, much less, campaign clothing such as Mack campaign T-shirts or caps with the campaign slogan of Connie Mack.

On information and belief, as reported by separate and independent media sources, the Connie Mack Campaign for the United States Senate, when confronted by the media with these expenditures, has admitted it willfully violated the FECA by a lazy campaign employee in purchasing clothing for Connie Mack's personal use instead of having cleaned or cleaning existing clothing of Connie Mack at the expense of campaign funds or contributions.

C. REQUESTED ACTION

Respondent has violated the Federal Election Campaign Act. Wherefore, Clyde M. Collins, Jr., request that the Federal Elections Commission conduct an investigation into these allegations, declare the respondent to have violated the Federal Elections Campaign Act and applicable FEC regulations, and impose sanctions appropriate to these violations and take such further action as may be appropriate, including but not limited to the maximum amount of fine permitted by law.

D. Verification

Clyde M. Collins, Jr., hereby verifies that the statements made in this complaint are, upon information and belief, true. Sworn pursuant to 18 U.S.C. Section 1001.

Sincerely,

CLYDE M. COLLINS, JR.

Subscribed and Sworn to before me this 19th day of July, 2012.

Cynthia White

Notary Public, State of Florida at Large

My Commission Expires: 10-27-13

Identification: Affiant Personally Known



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PO Box 519

Naples, Florida

EXHIBIT "A"

14044354368

**SCHEDULE B (FEC Form 3)
ITEMIZED DISBURSEMENTS**

Use separate schedule(s)
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Detailed Summary Page

FOR LINE NUMBER:
(Check only one)
☒ 17 ☐ 18 ☐ 19a ☐ 19b
☐ 20a ☐ 20b ☐ 20c ☐ 21

PAGE 368 OF 408

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (in Full)
Friends of Connie Mack, Inc.

Full Name (Last, First, Middle Initial)

A. MailChimp

Mailing Address 312 Meade St.
Suite 408

City Atlanta State GA Zip Code 30318

Purpose of Disbursement
Fund Service

Candidate Name

Category/
Type

Office Sought:

☐ House
☐ Senate
☐ President

Disbursement For: 2012
☒ Primary ☐ General
☐ Other (specify)

State District

Full Name (Last, First, Middle Initial)

B. Hilton Hotels

Mailing Address 1781 Hotel Plaza Drive

City Orlando State FL Zip Code 32830

Purpose of Disbursement
Meeting

Candidate Name

Category/
Type

Office Sought:

☐ House
☐ Senate
☐ President

Disbursement For: 2012
☒ Primary ☐ General
☐ Other (specify)

State District

Full Name (Last, First, Middle Initial)

C. Brooks Brothers

Mailing Address 4812 River City Dr. 0137

City Jacksonville State FL Zip Code 32246

Purpose of Disbursement
Clothing

Candidate Name

Category/
Type

Office Sought:

☐ House
☐ Senate
☐ President

Disbursement For: 2012
☒ Primary ☐ General
☐ Other (specify)

State District

Full Name (Last, First, Middle Initial)

SUBTOTAL of Disbursements This Page (optional)

TOTAL This Period (last page this the number only)

Date of Disbursement

04 / 12 / 2012

Amount of Each Disbursement this Period

300.00

Transaction ID: 88A8883836974310878

(MEMO ITEM)

Date of Disbursement

04 / 15 / 2012

Amount of Each Disbursement this Period

706.17

Transaction ID: 8171411C9BEC941678C3

(MEMO ITEM)

Date of Disbursement

04 / 12 / 2012

Amount of Each Disbursement this Period

254.53

Transaction ID: B3C7B88D16A7D42CF9EA

(MEMO ITEM)

0.00

14 13 12 11 10 9 8 7 6 5 4 3 2 1

REMARKS

FEC Schedule B Form 3 Period 03/2008

**SCHEDULE B (FEC Form 3)
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Use separate schedule(s)
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FOR LINE NUMBER: **PAGE 381 OF 408**
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NAME OF COMMITTEE (in full)
Friends of Connie Mack, Inc.

Full Name (Last, First, Middle Initial) A. Chevron Gas		Date of Disbursement 09 / 10 / 2012
Mailing Address 4033 Bortney Road		Amount of Each Disbursement This Period 184.12
City Yell Myers	State FL	Zip Code 32208
Purpose of Disbursement Rent	Category Type	Transaction ID : 87818A8C7874878632
Candidate Name	Office Sought: <input type="checkbox"/> House <input type="checkbox"/> Senate <input type="checkbox"/> President <input type="checkbox"/> Governor State: <input type="checkbox"/> District: <input type="checkbox"/>	Disbursement For: 2012 <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)

Full Name (Last, First, Middle Initial) B. Amtrak		Date of Disbursement 09 / 10 / 2012
Mailing Address 90 Massachusetts Ave 12B		Amount of Each Disbursement This Period 170.00
City Washington	State DC	Zip Code 20002-4283
Purpose of Disbursement Train Travel	Category Type	Transaction ID : 88888C722077F448A883
Candidate Name	Office Sought: <input type="checkbox"/> House <input type="checkbox"/> Senate <input type="checkbox"/> President <input type="checkbox"/> Governor State: <input type="checkbox"/> District: <input type="checkbox"/>	Disbursement For: 2012 <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)

Full Name (Last, First, Middle Initial) C. Brooks Brothers		Date of Disbursement 09 / 10 / 2012
Mailing Address 4812 River City Dr. #137		Amount of Each Disbursement This Period 224.33
City Jacksonville	State FL	Zip Code 32248
Purpose of Disbursement Clothing	Category Type	Transaction ID : 8EAC88C38888E4AD8888
Candidate Name	Office Sought: <input type="checkbox"/> House <input type="checkbox"/> Senate <input type="checkbox"/> President <input type="checkbox"/> Governor State: <input type="checkbox"/> District: <input type="checkbox"/>	Disbursement For: 2012 <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)

SUBTOTAL of Disbursements This Page (signature)		0.00
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REMARKS

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EXHIBIT "B"

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Contributors



Sergio Bustos
Miami Politics Editor
E-mail || Bio



Marc Caputo
Political Writer
E-mail || Bio

« RPOF uses voter purge as pro-Scott message | Main | Obama opens up big lead in poll of Latino voters »

Connie Mack, the Brooks Brothers Senate candidate

Connie Mack's Senate campaign charged nearly \$470 for clothing at a Brooks Brothers in Jacksonville, FEC records show, an apparent violation of law.

Records show identical charges of \$234 were made on April 12 and May 16 and the campaign listed it as "clothing." Federal law prohibits the use of campaign funds for personal items including "clothing, other than items of de minimis value that are used in the campaign, such as campaign "T-shirts" or caps with campaign slogans."

Asked today of the charges, Mack spokesman David James told the Buzz: "The Brooks Brothers charges were mistaken, inappropriate charges made by travel staff. All charges have been reversed in the form of a reimbursement by staff which will show up in the next report."

He added: "When the error was discovered the charges were made to the campaign credit card and therefore had to be reported. Nothing more here than a staffer taking a liberty instead of finding a dry cleaner. Aren't you going to ask about taxes, ObamaCare or job creation?"

It's the second issue that has come up with Mack. Earlier this year we reported how he has sent official House mail, paid for by taxpayers, to Florida residents far outside his district. That was a violation of House rules and a vendor, who took the blame, repaid the treasury. Subsequently, the Republican head of the Franking Committee said Mack was in the clear.

Mack's campaign didn't name the staffer who allegedly made the questionable purchases. While the expenditure is small and the apparent violation minimal, the incident speaks to a broader problem with the Mack campaign, which spent more than it took in last quarter. Mack spent \$803,757 but took in \$779,798 and has \$1.4 million cash on hand. Bill Nelson hasn't yet reported, but as of last quarter he had \$9.5 million cash on hand.

Roll Call reported that the National Republican Senatorial Committee has jittery about Mack and urged him to hire a new fundraising team, Gula Graham. But the problem might not be the fundraising team itself. It could be Mack and his entire campaign, which Florida Republicans have had deep reservations about for months now.

— Alex Leary, Tampa Bay Times

Posted by Marc Caputo at 7:57 AM on Wednesday, Jul 18 in Bill Nelson, Connie Mack | Permalink

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Great Video: Saving Florida's Future from Cornelius Harvey McGillicuddy IV; aka Connie Mack IV
<http://youtu.be/7KxECGXCOtS>

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Amy Sherman
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Posted by: Saving Florida's Future | July 18, 2012 at 09:55 AM

Mack: "Oh i love this double breasted yacht club dinner jacket "



Rubio: "Just put it on your campaign credit card, everyone does it. You will be a smash at the Sunday regatta"

Posted by: Saving Florida's Future | July 18, 2012 at 10:01 AM

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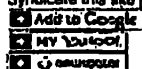
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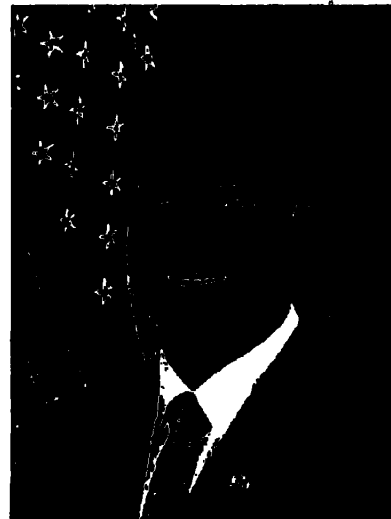
Connie Mack Charged \$470 in Brooks Brothers Clothes to His Campaign

By Kyle Munzenrieder Wed., Jul. 18 2012 at 10:54 AM

Categories: Politics

It's not exactly on the level of Sarah Palin's 2008 clothing controversy, but in the spirit of harping on equal opportunity wardrobe scandals maybe we should point out that senate candidate Connie Mack charged about \$470 in cloth from Brooks Brothers to his campaign. The Buzz points out that would be in violation of FEC regulations, but the Mack campaign says it was an oversight that its fixing.

Mack's campaign made two identical charges of \$234 to a Brooks Brothers store in Jacksonville on April 12 and May 16, according to The Buzz. With the exception of things like campaign t-shirts and hats and such, the FEC forbids candidates from spending campaign dough on



Now



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personal clothing. Charging about \$470 for some fancy Brooks Brothers violates those laws.

Mack's campaign says it was an oversight made a by an unaware staffer who was too lazy to go to the dry cleaner.

"The Brooks Brothers charges were mistaken, inappropriate charges made by travel staff," Mack spokesman David James told the Buzz. "All charges have been reversed in the form of a reimbursement by staff which will show up in the next report."

"Nothing more here than a staffer taking a liberty instead of finding a dry cleaner," he added. "Aren't you going to ask about taxes, ObamaCare or job creation?"

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